

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Benson, et al.

Appl. No. : 09/321,386

Filed : May 27, 1999

For : METHOD AND SYSTEM FOR
MANAGING A DATA OBJECT SO
AS TO COMPLY WITH
PREDETERMINED CONDITIONS
FOR USAGE

Examiner : M. Von Buhr



) Group Art Unit 2771

) I hereby certify that this correspondence and all
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September 14, 2000

(Date)
Eric M. Nelson, Reg. No. 43,825

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RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to a Final Office Action dated June 14, 2000, Applicant has the following remarks.

Discussion of Rejections Under Non-Statutory Double Patenting

In the Final Office Action, the Examiner rejected Claims 1-53 under the judicially created doctrine of non-statutory double patenting over Claims 1-29 of U.S. Patent No. 5,845,281 to Benson ('281 patent) because the terminal disclaimer filed by the Applicant failed to state the present extent of Applicant's interest in the patent to be granted. Furthermore, the Examiner provisionally rejected Claims 1-53 under this doctrine over Claims 1-69 of Application No. 09/164,606 ('606 application) for the same reason. In response, Applicant encloses herewith a revised terminal disclaimer with respect to the '281 patent and a revised terminal disclaimer with respect to the '606 application, which state the extent of ownership by the Applicant in any patent which may issue. Accordingly, Applicant respectfully submits this doctrine has been removed as a basis of rejection.

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Summary

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions that may be answered by telephone, she is invited to call the undersigned directly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 14, 2000

By: 

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